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|--------------------------|---|---------------------|
| GLENN SEGAL, | : | |
| Plaintiff, | : | |
| | : | |
| v. | : | CIVIL ACTION |
| | : | |
| | : | NO. 13-7493 |
| SAMUEL ZIELENIEC, | : | |
| Defendant. | : | |

AND NOW, this 24th day of March 2015, upon consideration of Defendant's Renewed Motion to Dismiss the Amended Complaint [Doc. No. 23], and Plaintiff's Memorandum in Opposition, it is hereby **ORDERED** that Defendant's Motion is **GRANTED IN PART AND DENIED IN PART** as follows: Count V of the Amended Complaint is **DISMISSED** and the Motion is **DENIED** in all other respects.

IT IS SO ORDERED.

/s/ Cynthia M. Rufe
CYNTHIA M. RUFÉ, J.